

**REMARKS/ARGUMENTS**

Reconsideration and allowance of this application are respectfully requested. Claims 1-48 are pending in this application.

**Objection to the Claims**

Claims 8 and 12 were objected to because of an informality. Claims 8 and 12 have been amended in accordance with the Examiner's helpful suggestions. Applicant thus respectfully requests that the objection to claims 8 and 12 be withdrawn.

**Rejection Under 35 U.S.C. §101**

Claims 1-7, 9, 11 and 14 were rejected under 35 U.S.C. §101 as allegedly being directed to non-statutory subject matter. Applicant respectfully traverses this rejection.

The invention of claims 1-7, 9, 11 and 14 produces a useful, concrete and tangible result. For example, claim 9 requires "generating source code from a certain model." The generation of source code is clearly a useful, concrete and tangible result. In order to provide further clarity that claim 1 is directed to statutory subject matter under 35 U.S.C. §101, claim 1 has been amended to further recite "a machine readable storage medium for storing the generated source code." Similar (but not necessarily identical) comments apply to independent claims 9, 11 and 14.

Accordingly, Applicant respectfully requests that the rejection of claims 1-7, 9, 11 and 14 under 35 U.S.C. §101 be withdrawn.

**Rejections Under 35 U.S.C. §102 and §103**

Claims 1-5 and 7-15 were rejected under 35 U.S.C. §102 as allegedly being anticipated by Hanselmann. Claim 6 was rejected under 35 U.S.C. §103 as allegedly being unpatentable

over Hanselmann in view of admitted prior art (APA). Applicant respectfully traverses these rejections.

For a reference to anticipate a claim, each element must be found, either expressly or under the principles of inherency, in the reference. Each element of the claimed invention is not found Hanselmann. For example, Hanselmann fails to disclose or even suggest following limitations of claim 1: “acquiring selection information capable of indicating at least one of selection and deletion of a certain specific part of the plurality of specific parts using a part specifier specifying the certain specific part; and deletion and generation means for generating the source code from a certain model, which is generated using the given model acquired by the model acquisition means based on the selection information acquired by the selection information acquisition means, the certain model covering a necessary variation selected from the plurality of variations and not covering an unnecessary variation.”

Similar (but not necessarily identical) comments apply to independent claims 8-14. In claim 1, an original (“given”) model covers a family of a plurality of variations. As discussed on page 3, lines 1-11 of the specification, variations may “have factors common to each other,” (column 3, line 8). These variations (having common factors, such as engine types) are thus in the same “family.” However, a “certain” model is generated to only cover a necessary variation and to exclude an unnecessary variation through the selection procedure required by claim 1.

Examples of different families of variations and the corresponding support in the specification are provided in the following chart.

Family	Variations of the Family	Support in Specification
Engine types	V6, V8, I6	Pg. 12, line 25
Destination countries	Japan, Europe, USA	Pg. 28, lines 14-27
Intended Uses	Testing, Mass-production	Pg. 28, lines 14-27
Regulations	Individual regulations according to domestic laws of the countries	Pg. 28, lines 14-27

As discussed in the specification, certain engine types such as V6, V8 and I6 are exclusive from each other. A first certain model may be generated from a “given” model to cover V6, but to exclude V8 and I6. (See claim 1).

In claim 1, a model acquisition means acquires a given model covering a family of a plurality of variations. These variations are subjected to a selection procedure by the selection information acquisition means using a part specifier specifying a certain specific part. Source code is generated from a certain model, the certain model covering a necessary variation selected from the plurality of variations and not covering an unnecessary variation.

In contrast, Hanselmann does not teach selection of one or some of variations of a family. That is, Hanselmann does not disclose or suggest the presence of a “specifier” capable of selecting a variation from the plurality of variations. The Office Action makes reference to a “drag-and-drop of simulator parameters...” However, this “drag-and-drop” is only a tool not capable of selecting a variation from a plurality of variations by itself. Moreover, the “drag-and-drop” disclosed in Step 4 (pg. 4, right column) is for specifying input/output (e.g., A/D

converters) for a real time *test* at a real plant, and thus fails to disclose the selection for code generation as required by claim 1.

The Office Action also makes further reference to the following portion of Hanselmann:

(i) “Automotive control must be very robust against manufacturing tolerances, aging and wearing of components, environmental conditions, and type of use (sporty, long-haul, city-driving)” (see pg. 1, left column)

(ii) “Powertrain control must simultaneously improve fuel efficiency and emissions, while ... Regulations and expectations have come to be so difficult to achieve that only complex control systems can help.”

The above portions of Hanselmann merely describe the problems which are to be addressed by Hanselmann’s system. Hanselmann does not teach or suggest any selection procedure to select one or more types (or variations) from the types referred to. For example, Hanselmann fails to disclose or suggest that “sporty” is selected from the variations “sporty”, “long-haul” and “city driving.”

Accordingly, applicant respectfully requests that the above-noted rejection under 35 U.S.C. §102 and §103 be withdrawn.

### **New Claims**

New claims 15-48 have been added to add additional protection for the invention. Each of these claims depends from one of the independent claims discussed above. Applicant thus respectfully submits that these claims are allowable at least by virtue of being dependent from one of these independent claims.

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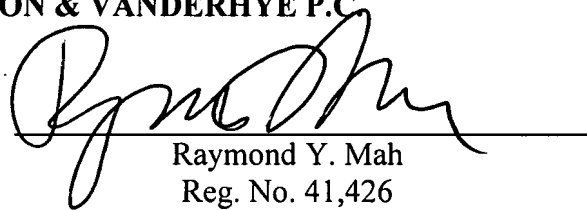
**Conclusion:**

Applicant believes that this entire application is in condition for allowance and respectfully requests a notice to this effect. If the Examiner has any questions or believes that an interview would further prosecution of this application, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

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